

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: Peter G. KLIMKO

Serial No: 10/575,911

Filed: 14 April 2006

Examiner:

Group Art Unit:

FOR: SUPEROXIDE DISMUTASE MIMICS FOR THE TREATMENT OF OPTIC NERVE  
AND RETINAL DAMAGE**INFORMATION DISCLOSURE STATEMENT PURSUANT  
TO 37 C.F.R. 1.56, 1.97, AND 1.98**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. 1.56, 1.97, and 1.98, Applicants submit the patents, articles, and other information referenced in the specification as filed. The references are listed on the attached PTO Form 1449. Applicants are submitting copies of the foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2), copies of the U.S. patents are not enclosed.

A copy of the International Search Report issued in the PCT application, of which the present application is a 35 U.S.C. §371 application, is also included for the Examiner's convenience.

Applicants request that the listed patents, articles, and other information be considered during prosecution of this application and that they appear among the "References Cited" on any patent issuing herefrom.

Respectfully submitted,

16 August 2006  
Date

By: Teresa J. Schultz  
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Attorney Docket No.: 2509 US F

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/575,911
Filing Date	April 14, 2006
First Named Inventor	Peter G. KLIMKO
Art Unit	
Examiner Name	
Attorney Docket Number	2509 US F

Sheet 2 of 3

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	2A	Baker et al., J. PHARMACOL. EXP. THER. 284:215-221 (1998)	
	2B	Clark, AF, "Current trends in antiglaucoma therapy," EMERGING DRUGS 4:333-353 (1999)	
	2C	David, R, "Neuroprotection of the optic nerve in glaucoma," ACTA OPHTHALMOL. SCAND. 75:364-367 (1997) [article lists as "Caprioli"]	
	2D	David, R, "Changing therapeutic paradigms in glaucoma management," EXPERT OPIN. INVEST. DRUGS 7:1063-1086 (1998)	
	2E	Doctrow et al., J. MED. CHEM. 45:4549-4558 (2002)	
	2F	Jiang et al., CHEM. RES. TOXICOL. 12:429-436 (1999)	
	2G	Jiang and Dryhurst, CHEM. RES. TOXICOL. 15:1242-1247 (2002)	
	2H	Melov et al., J. NEUROSCI., 21:8348-8353 (2001)	
	2I	PCT International Search Report for corresponding PCT application PCT/US04/39830 with May 31, 2005 mailing date	
	2J	Qi et al., OPHTHALMOL. VIS. SCI. 44(3):1088-1096 (2003)	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			Application Number	10/575,911	
			Filing Date	April 14, 2006	
			First Named Inventor	Peter G. KLIMKO	
			Art Unit		
			Examiner Name		
Sheet	3	of	3	Attorney Docket Number	2509 US F

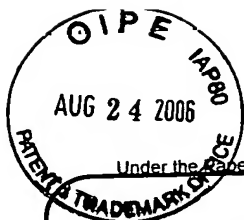
NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	3A	Rios et al., J. OCUL. PHARMACOL. THER. 15(6):547-556 (1999)	
	3B	Salvemini, D et al., SCIENCE 286:304-306 (1999)	
	3C	Salvemini, D et al., DRUGS FUTURE 25(10):1027-1033 (2000)	
	3D	Salvemini, D et al., J. PHARMACOL. EXP. THER. 301(2):478-487 (2002a) actually listed as "Mcinnis"	
	3E	Salvemini, D et al., BR. J. PHARMACOL. 136(6):905-917 (2002b) actually listed as "Masini"	
	3F	Sandbach et al., INVEST. OPHTHALMOL. VIS. SCI. 42(10):2173-2178 (2001)	
	3G	Wang et al., RES. COMMUN. MOL. PATHOL. PHARMACOL. 89:291-305 (1995)	
	3H	Wrona and Dryhurst, CHEM. RES. TOXICOL. 11:639-650 (1998)	
	3I	Wrona and Dryhurst, CHEM. RES. TOXICOL. 14:1184-1192 (2001)	
	3J		

Examiner Signature	Date Considered
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/21 (07-06)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/575,911

Filing Date 14 April 2006

First Named Inventor Peter G. KLIMKO

Art Unit

Examiner Name

Attorney Docket Number 2509 US F

**ENCLOSURES (Check all that apply)**

- ☐ Fee Transmittal Form  
☐ Fee Attached  
☐ Amendment/Reply  
☐ After Final  
☐ Affidavits/declaration(s)  
☐ Extension of Time Request  
☐ Express Abandonment Request  
☒ Information Disclosure Statement

- ☐ Certified Copy of Priority Document(s)  
☐ Reply to Missing Parts/ Incomplete Application  
☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)  
☐ Licensing-related Papers  
☐ Petition  
☐ Petition to Convert to a Provisional Application  
☐ Power of Attorney, Revocation  
Change of Correspondence Address  
☐ Terminal Disclaimer  
☐ Request for Refund  
☐ CD, Number of CD(s) \_\_\_\_\_  
☐ Landscape Table on CD

- ☐ After Allowance Communication to TC  
☐ Appeal Communication to Board of Appeals and Interferences  
☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  
☐ Proprietary Information  
☐ Status Letter  
☒ Other Enclosure(s) (please identify below):  
24 References and Return Card.

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Signature

Printed name

Date

Reg. No.

40,526

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Barbara McKenzie

Date

16 August 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTD

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

**(Use as many sheets as necessary)**

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Application Number	10/575,911
Filing Date	April 14, 2006
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Art Unit	
Examiner Name	
Attorney Docket Number	2509 US F

Sheet	1	of	3
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## U. S. PATENT DOCUMENTS

[illegible]

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			
	1I	WO 98/58636 A1	12/30/1998	G. D. Searle		
	1J	WO 00/07584 A2 and A3	02/17/2000	Wisconsin Alumni Res.		
	1K	WO 00/19993 A2 and A3	04/13/2000	Brownlee		
	1L	WO 00/72893 A2 and A3	12/07/2000	Monsanto Co.		
	1M	WO 2005/060974 A1	07/07/2005	Alcon, Inc.		

**Examiner  
Signature**

Date Considered	
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